

STUART RABNER
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101

By: John D. Hugelmeyer
Deputy Attorney General
Tel. (973) 693-5056

ORIGINAL

FILED

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NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF :

VIRGINIA A. FATATO, D.C.
License No. MC 03124

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY :

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Chiropractic Examiners ("the Board") upon receipt of information that Respondent has been convicted for a second time of a crime involving moral turpitude and which relates adversely to the practice of chiropractic, which the Board has reviewed, and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On January 9, 1998, in New Jersey Superior Court, Respondent entered a guilty plea to two counts of Indictment #97-05-00013S, Theft by Deception in the Third Degree, and Falsifying Records in the Fourth Degree. In that matter, Respondent had submitted billing records to insurance companies knowing that the patients on whose behalf the bills were submitted had not received the treatment. Respondent had knowingly received payment approximately \$17,963.00 and had deposited the monies received into her account. Respondent had also changed or altered patient records in furtherance of her fraudulent activity.

3. As a result of Respondent's criminal conviction detailed in paragraph #2, the Board suspended her license by Final Order dated May 21, 2001, for a period of five years, the first two of which were active. Respondent was also required to take 24 hours of continuing education and to successfully complete a course in professional ethics. Respondent was assessed \$1,145.96 in costs. Although these requirements have now been satisfied by Respondent, her license has not been reinstated.

4. On June 28, 2004, in New Jersey Superior Court, Law Division, Camden County, Respondent entered a guilty plea to one count of Indictment #S-190-12-02, Falsifying Records in the Fourth Degree, in violation of N.J.S.A. 2C:21-4 and N.J.S.A. 2C:21-6. Respondent admitted that on or about October 15, 2000, she did, in Camden County, utter or cause to be uttered a record or writing knowing that it contained false statements or information in order to deceive Massachusetts Mutual Life Insurance Company regarding a claim for her personal disability.

5. Respondent was sentenced to probation for a term of two years, which could be transferred to Miami Beach, Dade County, Florida, where Respondent was residing. Respondent was ordered to perform 600 hours of community service in Florida, to provide a saliva or other sample for DNA testing, and to pay the costs for testing the sample provided. Respondent has now satisfied these requirements of probation.

CONCLUSIONS OF LAW

1. The Respondent's second conviction which is described in paragraph #4 above, provides grounds for the suspension or revocation of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A 45:1-21(f), in that it constitutes a separate and distinct criminal conviction for a crime involving "moral turpitude" through the falsifying of claims to an insurance company, which also relates adversely to the practice of chiropractic.

ACCORDINGLY, IT IS on this 15th day of February, ~~2006~~²⁰⁰⁷

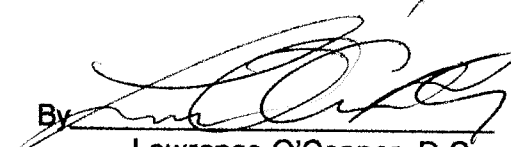
ORDERED AND AGREED that:

1. Respondent's license to practice chiropractic in the State of New Jersey be and hereby is suspended for a period of ten (10) years, of which six (6) years shall be active, and four (4) years shall be stayed as a period of probation. The ten year period of suspension shall commence upon the entry of this order, with no credit for any prior period of suspension served related to Respondent's 1998 conviction.
2. Respondent is hereby reprimanded for her criminal behavior.
3. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board (or a committee thereof) to demonstrate her fitness to practice. Any practice in this State prior to said appearance shall constitute grounds for a separate charge of unlicensed practice. In addition, nothing in this order shall prohibit the Board from placing restrictions on Respondent's practice as a condition of the reinstatement of her license based upon her demonstrated fitness at that time. Respondent hereby acknowledges that she may be required by the Board to successfully complete the Special Purposes Examination for Chiropractic administered by the National Board of Chiropractic Examiners prior to resuming active practice in this State.

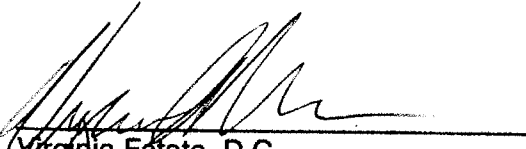
4. The Directives of the Board applicable to any Chiropractic Board licensee who is suspended, revoked or whose surrender of licensure has been accepted are incorporated by reference as though fully set forth herein, whether or not they are attached hereto.

5. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from any conduct of Respondent not currently known to the Board, and failure to comply with any provisions of this Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

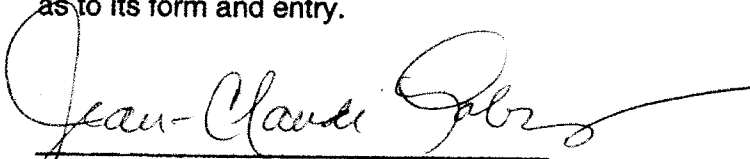
NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By 
Lawrence O'Connor, D.C.
Board President

I have read and understand the
within Consent Order and agree
to be bound by its terms. Consent
is hereby given to the Board to
enter this Order.


Virginia Fatato, D.C.

This order is hereby agreed to
as to its form and entry.


Jean-Claude Labady, Esq.,
Counsel for Respondent